

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

FEB 09 2007

JOHN F. CORCORAN, CLERK
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STEVE ALLEN SHELTON,
Petitioner,

) Civil Action No. 7:06CV00549

v.

) ORDER

GENE JOHNSON, DIRECTOR
VA DEPARTMENT OF
CORRECTIONS,
Respondent.

) By: Hon. James C. Turk
Senior United States District Judge

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ADJUDGED AND ORDERED that:

(1) defendant's motion to dismiss is **GRANTED**.

The Clerk of Court is directed to strike this matter from the active docket of the court and to send certified copies of this Order and the accompanying Memorandum Opinion to all counsel of record and to Petitioner.

ENTER: This 9th day of February, 2007.

James C. Turk
Hon. James C. Turk,
Senior United States District Judge